

**MINUTES**  
**Montana Fish, Wildlife & Parks Commission Meeting**  
**Ninepipes Lodge**  
**41000 Highway 93**  
**Charlo, MT 59824**  
**May 8, 2003**

**Commission Members Present:** Dan Walker, Chairman; Tim Mulligan, Vice-Chairman; John Brenden; John Lane.

**Fish, Wildlife & Parks Staff:** Jeff Hagener, Director; John Grant, Barney Benkelman, Becky Dockter, Kirsten Shelton, Ron Aasheim, Hank Worsech, Dan Vincent, Chris Hunter, Jim Williams, Regena Peterson, and other Department personnel.

**Guests:** Ralph Goode, Flathead Reservation Fish & Wildlife Board; John Cramer; Lester Johnson; Dell Palmer, Dennis Silgen; Brent Mitchell, Audubon Society; Germaine White, CS&KT; Frank Gillen, CS&KT Fish & Game; David Wiseman, USFWS; Tom McDonald, CS&KT; John Clark, CS&KT; Clayton Matt, SC&KT; Les Bigcrane, CS&KT; Ray Aybernath; Terry Tanner; David Herries, Pheasants Forever; Robert Lucas, Big Sky Upland Bird Association; Rod Johnson, Flathead Reservation Fish & Wildlife Board; Jack Puckett, Big Sky Upland Bird Association; Greg and Judy Shaffer; Dave Chenette; Jim Rogers, Pheasants Forever; David and Tam Steindorf, Pheasants Forever; Fred Rockwell, Nels Jensen, Keyser Preserve Pheasants Forever; Bill Myers, Pointer Scenic Cruises; Sid Rundell, Pheasants Forever and Flathead Lakers FHR Joint Board; Mike Hutchin, Lake County Commissioner; Bill Olson, Polson Chamber of Commerce; Sandy Maki, Polson Chamber of Commerce; Laney Hanzel, Flathead Lakers; Hank Harrington, Wild Horse Island Lot Owners Association; Bobbie Olnor; Russ Hage; Camilla Bauska; Ginny Tribe.

**Topics of Discussion:**

- 1. Opening - Pledge of Allegiance**
- 2. Approval of April 10, 2003 Commission Minutes**
- 3. Approval of Commission Expenses through April 30, 2003**
- 4. Confederated Salish & Kootenai Tribal Welcome to Reservation**
- 5. Confederated Salish & Kootenai Reservation Fish & Wildlife Agreement - Informational**
- 6. Decision Whether to Reissue Nonresident Deer Combination Licenses Split from Big Game Combos - Final**
- 7. Automated Licensing System Update - Informational**
- 8. Pheasants Forever / Ringneck Ranch Acquisition Proposal - Tentative**
- 9. Home Run Pond Children's Fishing Pond in Glasgow - Tentative**
- 10. Blacktail Meadows Children's Fishing Pond in Dillon - Tentative**
- 11. Bauska Easement Right of Way Exchange Request - Tentative**
- 12. Wild Horse Island Management Plan - Tentative**
- 13. Legislative Update - Informational**

**1. Opening - Pledge of Allegiance.** **Chairman Dan Walker** called the meeting to order at 8:05 and led the Pledge of Allegiance.

**Walker** informed the Commissioners, staff, and guests that Commissioner Mike Murphy will not be in attendance at this meeting due to illness.

**2. Approval of Commission Minutes.**

***Action:** Lane moved and Brenden seconded the motion to approve the minutes of the April 10, 2003 meeting. Motion carried.*

**3. Approval of Commission Expenses through (date).**

***Action:** Lane moved and Mulligan seconded the motion to approve the Commission expenses through April 30, 2003 as presented. Motion carried.*

**4. Confederated Salish & Kootenai Tribal Welcome to Reservation.** **Ralph Goode, Flathead Reservation Fish and Wildlife Board**, welcomed the Commission and FWP staff to the Flathead Reservation. He stated that **Fred Matt, Tribal Chairman**, was unable to attend the meeting due to a scheduling conflict, however, he sent his apologies and thanked everyone for coming. They look forward to the Commission meeting in their area again.

**5. Confederated Salish & Kootenai Reservation Fish & Wildlife Agreement - Informational.**

**Goode** presented the 1998-2002 Progress Report on the State-Tribal Fish & Wildlife Agreement, a report highlighting accomplishments of projects involved in this agreement over the last 4 years. Goode said this Agreement, designed to govern bird hunting and fishing on the Flathead Reservation through the implementation of a management plan, was originally signed in 1990 by Montana's Governor and the CS&KT Tribal Chairman, thereby creating the Flathead Reservation Fish & Wildlife Board. The technical committee, comprised of tribal and state biologists, formulates proposed rules to present to the Board and public for comment, after which time they are brought before the Tribal Council and FWP Commission for approval. If both parties agree, the proposals become official rules and regulations. Efforts have been made to pattern the rules after FWP's requirements in an effort to provide consistency statewide, although rules do not always match due to different resources and public needs. **Goode** said they only set one season at a time, rather than multiple seasons.

Goode introduced members of the Board who were present: Rod Johnson, past Chairman; Dave Wiseman, Fish & Wildlife Service; Terry Tanner; Ray Aylesworth; and Department and Tribal staff.

**Rod Johnson** said he feels the agreement has been an excellent tool for communications, and has been beneficial to the natural resources. **Goode** said they also set the seasons for waterfowl, and they have developed a brochure and map as informational tools. **Walker** said cooperation between the boards has been very apparent, and he expressed his appreciation for the groups' efforts.

**6. Decision Whether to Reissue Nonresident Deer Combination Licenses Split from Big Game Combos - Final.** **Hank Worsech, Licensing Bureau Chief**, explained that in November, 2002, a rule was developed outlining the procedure for reissuance of nonresident separated deer/elk licenses. He

said there are currently 776 licenses available to be reissued, 69 from the landowner category and 707 in the general category. The recommendation is to offer these licenses to individuals who indicated interest in additional deer hunting opportunities via their applications. **Worsech** said this would not conflict with FWP's deer management plan.

**Walker** asked if these licenses would create opportunities for landowners who were delinquent on filing reports and therefore unable to participate. **Walker** asked if the commission has the authority to make exceptions. **Hagener** said his understanding is that when the Commission approved the rule last fall, they specified that landowners are ineligible for the next year if they don't file timely reports, and he doesn't feel there are exceptions in the rule. **Walker** asked if FWP could accommodate them even though they got caught up in the 30 day requirement since there is a surplus. **Hagener** asked **Worsech** if he knew how many landowners fell in that category since consistency is important. If FWP makes an exception for one person, then it needs to accommodate everyone. **Worsech** replied that the Enforcement Division handled that area, therefore he was not certain of the number. **Walker** asked for suggestions on how to accommodate this situation.

*ACTION: Mulligan moved and Brenden seconded the motion to follow the department's recommendation to issue the remainder to landowners and to the general public, including the landowners who were delinquent with their reports, if legally possible. Motion carried.* **Becky Dockter, FWP Attorney**, investigated the legality of making exceptions to the annual rule and reported back to the Commission that it was determined that exceptions are not legal actions.

**7. Automated Licensing System Update - Informational.** **Barney Benkelman, Information Technology Bureau Chief** said FWP is now in Phase 2 of the Automated Licensing System (ALS), and applications can now be submitted from all FWP locations via the system itself rather than using paper applications. **Benkelman** said the Internet portion of the system is also working. He said ALS is on track with the number of sales last year, and is functioning as anticipated with occasional challenges, however down-time is minimal; paper backups are still maintained. He said staff is doing admirable job.

**Benkelman** said the Internet segment of the ALS system is moving into Phase 2 but will not be available for use this year. Phase 3 will require interrelating this system with other systems such as the law enforcement system and the statewide budgeting and accounting system. The desired date of implementation is on or before March 1, 2004.

**Walker** asked if the system itself has had technical problems or if local users are responsible for problems that have occurred. **Benkelman** replied that it is difficult to identify those types of specifics as numerous minor issues are occurring that fit both possibilities, but it appears to be local phone companies in many instances. A number of problems can be attributed to "dropped" phone connections. He said they continue to look for communications options, and he noted that the Internet will not be the resolution to those specific problems if they are due to local phone lines because the same lines are used to gain Internet access. **Benkelman** said the MCI contract expires in 2006, necessitating a determination as to whether to continue with the mechanisms already in place or develop a system within FWP. When **Walker** expressed concern about our vendor's financial stability, **Benkelman** said that FWP has been in contact with them regularly. The vendor is working

through the bankruptcy process and has filed a restructuring plan in court. He noted that acceptance of the restructuring plan does not guarantee acceptance of the continuation of Montana's contract. **Mulligan** commented that statistics provided by Benkelman indicate that several vendors have low or no sales. **Benkelman** said several are only seasonal providers, and some may not be actively using the ALS system; this situation will be monitored.

**8. Pheasants Forever / Ringneck Ranch Acquisition Proposal - Tentative. Dan Vincent, FWP Region 1 Supervisor,** introduced **Jim Williams, FWP Region 1 Wildlife Manager.** Williams has been actively involved in this proposal, and through his and Vincent's efforts, the Commissioners were provided with a tour of the proposed acquisitions prior to this meeting. Williams said this proposal is actually for two parcels of land adjacent to Ninepipe Wildlife Management Area. One parcel belongs to Pheasants Forever, which is a 70-acre parcel, and the other 200-acre parcel belongs to the Ringneck Ranch. Williams said the Ringneck Ranch purchase would be contingent upon FWP receiving grant funds through the North American Wetland Conservation Act. The Pheasants Forever property would be purchased with FWP funds. He asked the Commission for approval to proceed with this project.

**Walker** asked why this isn't being presented as two separate proposals. **Williams** responded that Region 1 only gets one opportunity every two years to apply with other regions, and both parcels became available at the same time, as well as the prospect of utilizing Duck Stamp monies.

**Brenden** requested clarification regarding the generation of joint license monies relative to the tribal agreement. He expressed concern that FWP does not have any control over these monies, and asked if it all goes back to tribal wildlife programs in this area of the state, and does it necessarily go to enhance lands that FWP owns. **Williams** said those monies, as per the agreement, go into a tribal account earmarked for fish and wildlife management conservation programs. Brenden stated he thinks this is a great addition, and the price is good, but he would rather the tribe would buy it. **Mulligan** agreed that is a great project, the price is pleasing, and it is a rare opportunity to find this kind of land configuration, especially in this part of the state. *Action: The Commission recommended proceeding with this project.*

**9. Home Run Pond Children's Fishing Pond in Glasgow – Tentative.**  
**and**

**10. Blacktail Meadows Children's Fishing Pond in Dillon - Tentative.**

**Chris Hunter, Administrator, FWP Fisheries Division,** said two ponds are proposed for designation as year round Children's Fishing Ponds to youth 14 years of age and younger.

Home Run Pond in Glasgow is under construction and is scheduled to open this summer. This pond has been proposed as a children's fishing pond since the inception of the project. The Glasgow community wishes to have the pond designated as a children's fishing pond.

Blacktail Meadows Pond in Dillon was donated to FWP in 2002 by C.W. Swenson, and has been stocked with trout. The Commission accepted the donation in 2002, and now the Dillon community wishes to have the pond designated as a children's fishing pond.

*Action: Mulligan moved and Brenden seconded the motion to approve both of these tentative proposals for Home Run Pond and Blacktail Meadows to be designated as Children's Fishing Ponds. Motion carried.*

**11. Bauska Easement Right of Way Exchange Request - Tentative. Dan Vincent, FWP Region 1 Supervisor,** explained Camilla Bauska has requested an easement through FWP land to access her private property. She has indicated she would like to divide her land into three parcels, while limiting development that would impact FWP property and wildlife habitat. Currently, she has a 66 foot wide legal easement on McGregor Peak Road to access her 80-acre tract. However, two spur roads off of McGregor Road have been used by the Bauska's with no legal easements to her property. **Vincent** said Mrs. Bauska would exchange her 66-foot easement for a 40-foot easement, and would vacate her easement from the junction of Spur 2 to her property line, and FWP's responsibility would be to grant the two 40-foot wide easements on the spur roads. All roads would be accessible for wildlife management. **Vincent** would like approval from the Commission to proceed with this proposal, based on approval of the National Parks Service and meeting Land and Water Conservation Fund requirements.

**Camilla Bauska**, with her daughter, appeared before the Commission to say she wanted to modify the original proposal. She stated she now wants to divide her acreage into 4 resident accesses rather than the 3 she originally proposed, as she has 4 children. **Bauska** said everything else would remain the same.

**Lane** asked if a 40 feet easement is acceptable for a subdivision rather than 60 feet wide. He said Cascade County, and statewide as far as he is aware, requires easements to be 60 feet wide for access to subdivisions. He does not want to see a trade for an easement that would not suit the needs of all invested parties. **Vincent** said it would be presented to the county planning board for approval. **Mulligan** said the EA had gone out with only the 3 divisions, and suggested that this process might need to be done again with this modification. **Vincent** requested approval to continue to explore this proposal and rewrite or amend the EA if necessary. *Action: The Commission recommended proceeding with the exploration of this proposal.*

**12. Wild Horse Island Management Plan - Tentative. Dan Vincent, FWP Region 1 Supervisor,** said that in June of 2002, Region 1 was directed by the Commission to revisit its plan for Wild Horse Island. The Commission was particularly interested in the commercial use aspect of White Horse Island. A nine member advisory council was assembled to assist in developing a plan. Commissioners and staff were provided with a more detailed background of information relative to this plan while on a tour of the Island yesterday. **Vincent** explained that the issue of shuttle / charter service to Wild Horse Island (WHI) remains contentious.

**Vincent** introduced **Jerry Sawyer, FWP Region 1 Parks Manager**, who said the Advisory Committee met 4 times since last fall. They addressed the many concerns surrounding the Island, and made recommendations from which a draft management plan was developed. Commission's approval of these recommendations is being sought at this meeting.

**Sawyer** said the recommendations are: to allow limited, regulated shuttle services to WHI, to allow FWP to retain authority to manage the Island's use, to develop a permit system that would be fair, equitable, and would provide statistics of the Island's use, and to work with tribal authorities. Under the proposal, shuttle operators would be required to obtain temporary commercial use permits, free of charge, for the 2003 season. Operators would be required to provide use statistics to FWP for guidance in developing future policies.

**Sawyer** introduced **Ginny Tribe**, Missoula, who facilitated the advisory council meetings. **Tribe** said that when she agreed to facilitate the advisory council meetings, she looked at it as an opportunity to use a collaborative process in which all WHI interests would be addressed, particularly commercial use. **Tribe** said a wide range of WHI interests were represented. Guiding principles, applicable to WHI, were agreed upon, and were written in a manner that all members were able to support. She said they came to agreement on 85% of what they discussed. When it came to commercial use, some things were agreed on and some were not, but everyone agreed on the free navigation of the lake. Food concessions, horseback trips, bicycles trips, etc. were deemed not acceptable. They asked themselves if shuttle / charter services are considered commercial use. **Tribe** said that in the end, no recommendation on this issue was developed to present to the Commission; she feels it will have to be resolved in court. **Tribe** noted that all advisory council members honored the ground rules and worked hard.

**Walker** invited members of the Advisory Council to express their opinions.

**Commissioner Mike Hutchin, Lake Co Commissioner**, commented on the draft recreation plan which he passed out (copy in meeting materials). He asked if other parks were limited as to access? He would like to see FWP define commercial use differently.

**Bill Olson, Polson Chamber of Commerce**, said his concerns are from the standpoint of the local merchants. The impact to the surrounding area is of high economic nature, especially to the taxpayers. He stressed the danger of boating on Flathead Lake, and from the safety standpoint, he feels charter boats are the safest mode of travel to the Island. He said access is discriminatory in favor of those who own boats or Island property.

**Laney Hanzel, Flathead Lakers, Inc.**, said he represents the general users of the lake, and they are concerned with water quality. He asked that studies of the Island be conducted, and the condition of the Island be monitored to maintain quality. They do not want to get into the legal issues of commercial use.

**Bobbi Gilmore, Glacier Sea Kayaking/Flathead Paddlers**, said WHI is incredible and needs to be protected. She endorses non-motorized use of the lake, and commercial use. She conducts educational excursions and feels regulating commercial charters to the Island is the way to go so as not to negatively impact the Island with too many users.

**Bill Myers, Pointer Scenic Cruises**, said there is resistance to resolving the public access situation. He said the visitor survey conducted by FWP in 2002 was unscientific and was not statewide. He said he doesn't feel a court case is necessary to resolve this situation. Myers read from the Treaty of the

Upper Missouri – Articles 7 and 8 regarding usage of the waterways. He said the biennial fee rule is unlawful. He said he does not advocate commercial use on the Island such as hot dog stands etc. He urges the Plan be rejected as it stands now.

**Brent Mitchell, Flathead Chapter of Audubon Society / Flathead Wildlife**, said FWP bent over backwards to make this thing work, but it just didn't work. He said a problem from his perspective was the inability to address the definition of "commercial", as it is already set. Another stumbling block was apparent after the first hour of the meeting; he said one person dynamited the process and consensus with his attitude. **Mitchell** went on to say the public wants to protect the Island. His group is concerned with how many people can be physically on the Island; that getting there is only one part of the equation.

**Hank Harrington, WHI Property Owners Association**, said the owners have a large investment in WHI. His position is that FWP has the authority to manage the Island, and he believes FWP has the authority to manage access to the Island, but he believes the advisory council's process was flawed by one person.

**John Carter, CS&KT Tribal Attorney**, said everyone has worked together, but they cannot agree on or define commercial use, nor do they know how to regulate it. He said the tribe has a management plan that outlaws commercial use, and he suggested that FWP meet with the tribal government prior to taking any formal actions.

**Brenden** stated that he doesn't feel there is a problem on WHI, but potentially there could be. He is concerned about the survey data and number of people accessing the Island, and feels an accurate census is necessary before making any decisions.

**Vincent** said he and **John Carter, Tribal Attorney**, discussed the Tribes' concerns. Carter advised that if the Commission were to go forward with this recommendation, it would need to be contingent upon the Department first appearing before the Tribal Council to provide them with information regarding their decision.

**Dockter** said ARM prohibits commercial use of state land, but "commercial use" is not defined in state rules. However, FWP's biennial fee rule, adopted in September of 2002, defined commercial use; that definition includes shuttle service to the Island. Dockter said the biennial fee rule will be revisited at the September, 2003, Commission meeting. She reminded the Commission that they had directed FWP to execute discretion and not prosecute for commercial shuttle service to the Island last season in order to allow time to scrutinize this matter. **Mulligan** clarified, and Dockter verified, that if no action is taken, it reverts back to an expectation that there will be citations issued, to which **Walker** said the same consideration could be extended for this season. **Dockter** said one concern with proceeding with the recommendation is that if FWP institutes prosecutorial discretion, necessary usage data may not be readily provided.

**Mulligan** said this situation is similar to the Big Hole/Beaverhead river issue, and he feels that the recommendations and framework developed by that working group could also be used in this instance. He said that the concept is to collect data and identify what the impacts are to identify some level of

acceptable change. Mulligan said if FWP permits commercial use in order to collect data, FWP would be in conflict with the requirements of the tribe. He said the way the recommendation is proposed now, it predisposes, and that's defining a solution before the data is collected. He stated it's imperative to gather data, and a process to obtain data needs to be instituted, but if limitations on commercial use are ignored in order to collect data, FWP would be in conflict with the Tribe.

***Action:** Mulligan moved to direct the department to institute a free temporary permit process contingent on discussion, cooperation, and coordination with the Tribal Council, and to identify and include any future limitations, and a permit system be established to go into effect in 2004, and a follow-up process be instituted for collection of data.*

**Walker** commented that he agrees, and that it really is a word game with this "commercial" business. He reiterated that data is what is being sought, and the differentiation between commercial vs non-commercial is of no consequence. **Mulligan** asked how data is collected without differentiation. **Walker** said he wants better data and doesn't want to prejudice this goal with "commercial" discussion. He said his concern is for people who want to get to Wild Horse Island and he doesn't care how they get there; that parks with no access are of no value. He said he did not witness overuse at this point, but when it becomes overpopulated and overused, then FWP must deal with it.

**Mulligan** asked how data will be collected on shuttle and multiple party excursions without a temporary permit system. **Walker** replied that there are two options: observe and tally, or observe, tally, and use check-in sheets. He went on to say that with the permit system, shuttle service operators will be asked to provide data, but individuals may not provide information. **Vincent** said currently there are 8 or 9 commercial charter boat operators who have expressed interest in providing shuttle service to WHI, and have been denied permission under current rules. The intention of this proposal was to ascertain potential commercial interest. **Brenden** said to get accurate numbers, someone needs to be stationed on the Island. He said that boats cannot be stopped from touching the Island at the high-water mark. The issue of manpower and funding were discussed relative to placing a person on the Island.

***Action:** Mulligan stated that he stands with his motion to stay with temporary use permits for shuttle / charter services, and parallel with that motion is that it be contingent upon changing the rule or making it clear so that in no manner, shape or form, FWP will prosecute. Dockter said the biennial fee rule is an ARM rule and has to go through the Administrative Rule process in order to be changed.*

**Mulligan** said his recommendation would allow additional shuttle / charter services, and FWP will discover if further interested parties exist.

***Action:** Lane said he agrees, and in the interest of gathering needed data, he seconded Mulligan's motion.*

**Meyers** said if FWP institutes a temporary permit system, he will not participate in requesting a permit from the state. He said he has a pre-existing right to navigate the lake, and he does not need a permit from FWP to navigate on the waters of Flathead Lake, including to the edge of WHI. He urged the Commission to develop a mechanism to collect data. He said there should be records for the last 7-8



years of him signing in, under the name Pointer, for every trip he has taken to WHI. He informed the group that two years ago he took 81 people to WHI in 20 trips, and last year he took 109 people in 27 trips.

**Tribe** said this is where the Advisory Council reached an impasse. She suggested that the permit be based on group size, and not whether it's private or commercial. **Dockter** said the Department selected "Commercial Use Permit" for the name of the permit because the ARM rule says "commercial use is prohibited unless you get permission from Department .....". She feels if FWP skirts the issue of commercial use, the Department will not be following its own rules. **Dockter** added that Mulligan's motion to *institute a temporary permit process contingent on discussion, cooperation, and coordination with the Tribal Council* would meet requirements of both the Administrative Rule and the Biennial fee rule.

**Mulligan** said the Myers issue needs to be dealt with outside of the Commission by people that handle interpretations of the laws and whether they are or not to be prosecuted. He added that after being involved with the Big Hole and Beaverhead process, he knows the request and the desire for data will not go away.

**Carter** said he is trying to figure out the logical solution, that it seems the question of the permit is the predicament. He said it's already a known fact that the permit is not going to get compliance, and at this point, information is what is being sought. He said the suggestion to physically place a person on the Island to count heads will provide the information and will avoid the whole question of the permit.

**Vincent** said that it needs to be conveyed to the commercial outfitter / shuttle service provider that it is permissible, for this season, to shuttle people to WHI; and that FWP will use prosecutorial discretion.

**Vincent** introduced **Bob McFarland, FWP Region 3 Systems Analyst**, who is responsible for putting together statistically reliable data. **McFarland** said one of the things that is skewing the integrity of the census is the survey. He said they have conducted a valid random survey in the past and it was a survey of use rather than of census. They surveyed the attitudes of the people that used the Island; not the entire community or state. He said it could also be split out by weekday and/or weekend. **McFarland** said a census could be done but it is much more expensive. **Walker** said he is not concerned with how many people are there on a particular day, just the total picture, and that no damage is done to the Island. Walker asked McFarland to develop a system to obtain the data.

*Action - Finalized Motion after Discussion: **Mulligan** moved to authorize the department to proceed with unlimited temporary commercial use permits for the 2003 season to gather use data contingent upon meeting and coordinating with the Tribal Council. **Lane** seconded the motion. 3 in favor and **Walker** opposed. Motion carried.* Mulligan said his motion was not intended to increase or affect the permitting process already in existence regarding the group size of 15.

*Action: **Walker** moved that we direct department to refrain from prosecuting under current definition of commercial use. **Dockter** said if the intent is to refrain from prosecuting those that do not get the permit, then the motion is necessary, but if not, then it is not necessary. She added that the current commercial use definition does specifically include shuttle / charter services so the words "commercial*

use” can be used in the motion. **Walker** said his intention is not to prosecute any person whether they have a temporary permit or not. **Dockter** said under this motion nobody would get prosecuted. **Brenden** seconded the motion. **Walker** clarified that this motion is for transportation only. **Mulligan** said this makes it a voluntary permit. Hopefully, all users will sign in upon arrival at WHI.

*Action: Vote was called for: 3 in favor - Mulligan opposed. Motion carried.*

### **13. Legislative Update - Informational**

Jeff provided the Commission with a brief written synopsis of legislative information.

**14. Citizen’s Open Microphone.** Questions and comments were entertained from sportsmen who appeared before the Commission to express opinions and ask questions.

FWP was asked why a fee isn’t tacked on to local licenses, that they are too cheap; the more money FWP has, the more that can be done with it. Mulligan said there currently is a hunter access fee attached to license sales. Hagener informed them that the legislature sets the license fees, typically set to cover a ten year timeframe. He said the 2001 legislature increased nonresident licenses. Another sportsman said FWP is doing a fine job.

The Commissioners were asked for their opinions on the proposed Bison Range management take-over by the Tribe. Walker said he is not familiar enough to address this, but perhaps it will take federal legislation to accomplish this. Mulligan said he understood it would be the refuge area only, and that he is not familiar with the situation either. Hagener said it is largely federal issue – but FWP feels that wildlife management has been good and they would like to see it continue. The gentleman expressed his dissatisfaction with the federal government’s handling of the Bison Range Refuge.

Dell Palmer said he is in favor of FWP approving the Bauska proposal. He said he has concerns about spending sportsman’s dollars for habitat, and then being required to purchase a tribal permit to use it.

Bob Lucas, Big Sky Upland Bird Association, thanked the Commissioners for exploring the Pheasants Forever and Ringneck Ranch track proposal. He mentioned his concerns about the way joint license dollars are allocated. He said by informally looking at license plates, the majority are utilizing the conventional license.

Russ Hage asked if there are any block management lands in the Flathead area. Williams said currently there is in the Olkum Creek Timberlands, as well as some smaller ownerships in the upper Flathead. FWP has looked in the Lower Clarkfork, and currently is working with a potential site in Muson Creek. The majority are east of the divide. When asked if they could be developed for pheasant areas, Williams said it could certainly be explored.

Meeting adjourned at 12:35 p.m.

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**Dan Walker, Chairman**

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**M. Jeff Hagener, Director**